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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,110	01/14/2000	Faisal Haq	M-7998-US	7946

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EXAMINER

DUONG, FRANK

ART UNIT PAPER NUMBER

2666

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/483,110

Applicant(s)

HAQ ET AL.

Examiner

Frank Duong

Art Unit

2666

OK

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____.

Claim(s) objected to: 6-15, 21-30, 42-51.

Claim(s) rejected: 1-5, 16-20 and 31-41.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Frank Duong
Examiner
Art Unit: 2666

Continuation of 2. NOTE: The proposed amendment alleges the prior art cited in Office Action dated 07/27/04 fails to anticipate, teach, or suggest a balanced hash table of access control list binary comparison trees, as recited in claim 1 and presents new argument pertaining the claimed limitations recited in claim 2. In response Examiner respectfully disagrees and asserts the Office Action dated 07/27/2004 has clearly pointed out the claimed limitations as recited in claim 1 against the teaching of Wilford et al reference. Please refer back to Wilford et al reference. At col. 10, lines 64-65, in reference to Fig. 2; element 201, Wilford discloses "packet 106 may be received on an Ethernet network 102" and at col. 16, lines 37-49, in reference to Fig. 2; element 206, Wilford further discloses the switching engine 206 may parse the packet 106 and recognize the destination host address and the source host address. In addition to determining to which output network interface 201 the packet 106 should be switched, the switching engine m206 may also determine (in response to an active access control list) whether switching the packet 106 would violate access control. If so, the switch 105 may take appropriate action, such as discarding the packet or issuing a warning message. As for the argument pertaining the disputed between the Applicants' claimed "balanced hash table of access control list binary comparison trees" and Examiner's interpretation of Wilford's "tree memory", please refer back to Office Action dated 07/27/04 for a response. In the Remarks of the outstanding response, on page 14, pertaining the argument that Applicants had given an example of a balanced hash table, page 8 of Applicants' specification describes a hash table in which "the trees are distributed roughly evenly both in depth and across the entries of the entire hash table". A response from the Examiner is "an example" is not a specific definition of the disputed term. Applicants are challenged to further define the disputed term in a response to this Office Action. Should the Applicants comply to the challenge, the application would be placed in condition for allowance. As for the argument pertaining claim 2, Examiner asserts, in the present condition, the Wilford reference does indeed anticipate it as clearly pointed out in the Office Action.



FRANK DUONG
PRIMARY EXAMINER